

SOUTH DELTA WATER AGENCY

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December 2, 2013

Attn: Paul Massera
California Department of Water Resources
California Water Plan Update
P.O. Box 942836
Sacramento, CA 94236

Re: California Water Plan Update: Resource Management Strategies

Dear Sir:

The following are submitted on behalf of the South Delta Water Agency as comments to Vol. 3 Resource Management Strategies of the California Water Plan Update 2013.

Salt Management. Apparently the document fails to mention the problem and causes of elevated salinities in the San Joaquin River and Southern Delta. These conditions arise because the CVP (with the help of the SWP) imports upwards of a million tons of salt each year into the San Joaquin Valley, where it is concentrated. The majority of that salt then enters the River at salinities many times the current downstream agricultural standard. Those salts enter the Southern Delta where insufficient flows result in the salt either remaining the area or being partially re-exported. The current efforts undertaken by the State and Regional Water Boards include declining to enforce the salt standards and to develop weaker standards so that violations can be deemed non-violations. Each year at least one (and sometimes all) of the interior southern Delta standards is regularly violated; a fact which goes unmentioned in the document and un-noticed by the regulators.

The issue is one of mitigation, not general approaches. It should be the policy of the State of California to require that this massive level of ongoing pollution be mitigated and not allowed to continue. The yearly adverse impacts associated with this salt dumping should be prevented. The choices for a solution are basic and clear. Either less salt is imported, less salt is allowed to drain into the river, or adequate dilution flows are provided. Any process or plan which sloughs over these is simply pretending to address the issue without actually addressing the issue.

Since salt impacts to agriculture and other beneficial uses as a result of concentration and not load, the document should recommend that sufficient flows be required to dilute the CVP salts to a level that allows further downstream use without any resulting violation of the standards. Dilution flows that merely meet the standards necessarily result in any downstream use concentrating the salts with a

resulting violation of the standard.

Water Use Efficiency. The document adopts the commonly held position that better efficiency is always a good thing and a necessary part of addressing the State's water shortage. Such is not the case. Water use efficiency works in some places and at some times, but is not universally beneficial. Significant efficiency on San Joaquin River and its tributaries and in the southern valley have decreased river flows to the point where the San Joaquin River is generally no longer connected to the Bay. This decrease in flows further exacerbates the pollution in the river by increasing concentrations. It also results in insufficient water flow to meet many beneficial needs.

Further, many areas require significant leaching in order that salts and other constituents do not accumulate in the soil. Increasing water use efficiency decreases the leaching and results in long term soils issues, especially in the southern Delta. The underlying notion that agricultural water use efficiency can improve supplies for other uses translates into a preference of re-dividing the pie and not increasing the pie. Agricultural return flows provide needed habitat for many small streams as well as the San Joaquin River. A policy to further decrease the flows in these waterways is short-sighted and counter-productive.

Transfers. Similarly, transfers increase the dependency on an already short supply. When a transferee seeks dry year supplies via a transfer, the shortage of the net supply is simply reallocated and not addressed. Unless the transferor decreases his net use of water, the water being transferred would have been a supply for some other beneficial use, and thus the transfer simply shifts the shortage from the transferee to that other use/user. As transfers grow in popularity, a larger number of beneficial users become reliant upon the still inadequate supply. The result is that areas that did not have a water supply during dry times now take that supply from somewhere else even when the total system is still short of water. Thus streams, groundwater basins, etc. are now being depleted faster than before.

Flood Management. The document fails to identify the underlying needs associated with flood control. The system must be designed to hold and carry some amount of flood flow. This means we must start from the top of the system (reservoirs and dams) and determine what inflows and releases will be maintained under high flow conditions. From those numbers, we then determined how much each downstream river needs to contain and how much water can make its way through and out the system to the Bay without overtopping the levees. Of course, floods can still occur due to other factors, and there will be flood flows we simply cannot plan on controlling, but the point is that the system must be designed to carry and hold specific amounts. This means that dredging must maintain flood carrying capacity in designated channels or we are simply pretending that certain high flows will be held.

The document's casual affront to Delta levee protections is wrong in almost every way. The Delta levees are not the fragile protections referenced by those who seek to abandon the region. Recent work done with local cost share and state funds have built what can only be described as "super levees" which are clearly capable of providing flood control well into the future regardless of any perceived climate change. It should be the policy of the State to maintain and improve the Delta levees, as well as those levees along the systems which flow into the Delta. This protection provides a wide range of benefits to the State as a whole given the large amount of infrastructure crisscrossing the Delta.

The use of "natural flood plains" is a good idea in the abstract, but fails to address the underlying flood control issues. Depending on the location of such overflow areas, peak flood flows may be lowered, but the flood plain does not fully address the problem, and in most instances adversely affects prime agricultural lands. It should be clearly noted in the document that all of the fishery agencies in the BDCP process agree that there is no evidence that new flood overflow areas will result in greater fish

populations. Hence the “benefits” of these overflow areas are vastly overstated if not wrong. Historic flood plains in the San Joaquin Valley, now used as refuges should be used first before any consideration of taking agricultural land for this purpose.

Conveyance. The document makes the fatal mistake of including the BDCP project as a necessary component of addressing California’s water needs. Apparently the authors are unfamiliar with the current analysis of the BDCP. First of all the water supply. Analyses done at the time the projects were being contemplated indicated that in a repetition of the 1928-34 drought, the Sacramento-San Joaquin system produced an average annual supply of 17.6 MAF. Local demands in that area (not including any exports) was 25.6 MAF. This means that in each of those six drought years the system was 8 MAF short without any exports. We know these number are at least in the “ballpark” given recent history. In 2009, after a two year drought the projects had insufficient water in storage to supply the highest priority CVP contractor, insufficient water to meet Delta outflow requirements and insufficient water to meet cold water fishery needs. Thus, the system was bankrupt after only two years of drought. In 2013, the projects informed the SWRCB that they could not meet the western Delta ag standard and needed relief from the cold water fishery needs standard; this after only one year of drought.

We see then that the “reliable” supply for export during dry times is zero. Not some, not a little, but zero. The issue is not conveyance; that is to say its not a question of how to get some supply to the export pumps, it’s a question of not having any water. This controlling situation has resulted in the following conclusions regarding the BDCP which the Water Plan authors apparently having no knowledge of. Entrainment of fish at the export pumps is not “improved” under BDCP. BDCP analyses indicate that having the new intakes simply shifts the impacts of the pumps and the net entrainment has little if any improvement. Taking water when its available can’t be done. BDCP was supposed to take “big gulps” when flows were high to increase supply. However, because of fishery impacts of the new intakes, BDCP proposes to still take more water during dry times; when there isn’t any water! BDCP does not re-operate the system to improve fish. All fishery agencies, the SWRCB, etc agree that more water needs to flow into and out of the Delta. However, BDCP proposes to decrease Delta outflow. BDCP is supposed to create new habitat to improve fishery populations. All fishery agencies have commented to BDCP that there is no supporting data for the proposition that more shallow water habitat equals more fish. BDCP does not provide protection against earthquakes. BDCP’s operations criteria severely limits the use of the new facilities, making them un-useable in half of the years. Should an earthquake destroy to Delta (the nonsensical catastrophic scenario), the new intakes could only make up for the loss of the southern delta pumps if they do not abide by the operational criteria being required.

Hence we see that BDCP provides none of the benefits on which it was “sold,” and cannot therefore be a component of any method of meeting the coequal goals. Unless of course it is operated in violation of the limitations placed upon it and it exports water to which the contractors have no rights. Conveyance does not address the system’s shortage, it merely allows the operator to cheat and take water when none should be taken.

It is interesting to note the document’s reference to lowering carryover storage levels without even mentioning the export shortage after one or two dry years. I also note the document states that a goal of BDCP is to improve south Delta flows. I believe that statement is incorrect; being the opposite of the BDCP.

Matching Water Quality to Use. It is not clear what this section is trying to recommend. Currently, the State and Regional Boards set water quality standards based upon beneficial use needs

under specific statutes. If the Water Plan authors believe this system should be abandoned or altered they need to so state.

SDWA joins in the comments of the CDWA. Please feel free to contact me if you have any questions.

Very truly yours,

JOHN HERRICK